

Ronald L. Richman, SBN 139189
Susan J. Olson, SBN 152467
BULLIVANT HOUSER BAILEY PC
601 California Street, Suite 1800
San Francisco, California 94108
E-mail: ron.richman@bullivant.com
E-mail: susan.olson@bullivant.com
Telephone: 415.352.2700
Facsimile: 415.352.2701

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

BOARD OF TRUSTEES OF THE CEMENT
MASONS HEALTH AND WELFARE TRUST
FUND FOR NORTHERN CALIFORNIA;
BOARD OF TRUSTEES OF THE CEMENT
MASONS VACATION-HOLIDAY TRUST
FUND FOR NORTHERN CALIFORNIA;
BOARD OF TRUSTEES OF THE CEMENT
MASONS PENSION TRUST FUND FOR
NORTHERN CALIFORNIA; and BOARD OF
TRUSTEES OF THE CEMENT MASONS
TRAINING TRUST FUND FOR NORTHERN
CALIFORNIA,

Plaintiffs,

vs.

NEIL JACKSON CONSTRUCTION, a
California company, formerly known as KM
JACKSON ENGINEERING, a California
company; and NEIL JEFFERY JACKSON, an
Individual,

Defendants.

Case No.: C 07 2842 BZ

**STIPULATION FOR DISMISSAL OF
BREACH OF FIDUCIARY DUTY CAUSE
OF ACTION; ORDER THEREON**

BOARD OF TRUSTEES OF THE
LABORERS HEALTH AND WELFARE
TRUST FUND FOR NORTHERN
CALIFORNIA; BOARD OF TRUSTEES OF
THE LABORERS VACATION-HOLIDAY
TRUST FUND FOR NORTHERN
CALIFORNIA; BOARD OF TRUSTEES OF
THE LABORERS PENSION TRUST FUND
FOR NORTHERN CALIFORNIA; and
BOARD OF TRUSTEES OF THE
LABORERS TRAINING AND RETRAINING

Case No.: C 07 2843 BZ

1 TRUST FUND FOR NORTHERN
2 CALIFORNIA,

3 Plaintiffs,

4 vs.

5 NEIL JACKSON CONSTRUCTION, a
6 California company, formerly known as KM
7 JACKSON ENGINEERING, a California
company, and NEIL JEFFERY JACKSON, an
Individual,

8 Defendants.

9 STIPULATION

10 IT IS HEREBY STIPULATED by and between Plaintiffs Board of Trustees of the
11 Cement Masons Health and Welfare Trust Fund for Northern California, Board of Trustees of
12 the Cement Masons Vacation-Holiday Trust Fund for Northern California, Board of Trustees of
13 the Cement Masons Pension Trust Fund for Northern California and Board of Trustees of the
14 Cement Masons Training Trust Fund for Northern California, on the one hand, and Defendants
15 Neil Jackson Construction, a California company and Neil Jeffery Jackson, an individual, and
16 each of them, on the other hand, that the Third Claim For Relief, Breach of Fiduciary Duty, be
17 dismissed, with prejudice, as against all Defendants.

18 DATED: December 7, 2007

Plaintiffs

19 By: John J. Hagan

20 Its: A/R MANAGER

21
22 DATED: December 6, 2007

Neil Jackson Construction, a California
Company

23 By: N. J. Jackson

24 Its: _____

25
26
27 DATED: December 6, 2007

By: Neil Jeffery Jackson

Neil Jeffery Jackson

STIPULATION FOR DISMISSAL; ORDER THEREON